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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,738	03/09/2004	Christopher J. Conway	12019/3	2519

7590 07/25/2006

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EXAMINER	
ALEMU, EPHREM	
ART UNIT	**PAPER NUMBER**
2821	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/796,738	CONWAY ET AL.	
	Examiner	Art Unit	
	Ephrem Alemu	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-19 and 21-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-19 and 21-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6-05-2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *See Continuation Sheet*.

Continuation of Attachment(s) 6). Other: The Internet Source for Lighting Diffusers .

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claim 20 is withdrawn in view of the newly discovered reference to Ott (US 4,091,441). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 18, 19 and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable Richardson Co. (decalight submitted by applicant) over in view of Ott (US 4,091,441) further in view of The Internet Source for Lighting Diffuser.

Re claim 18, 19, 24 and 25, Richardson Co. discloses a stage lighting system (i.e., decalight) comprising:

a frame having a series of light bars; a plurality of light sources (i.e., globes) positioned within the frame along the light bars; a mobile support positioned below the frame that enables the frame to be moved; a diffusion film (i.e., custom sized gel frame) disposed in front of the plurality of light sources (i.e., globes); a light reflective surface positioned on the frame behind the plurality of light sources; and a light control system configured to regulate electrical power (i.e., dimmable) to the plurality of light sources; such that an illumination intensity of individual ones of the plurality of light sources can be varied (see pages 1 and 2 including decalight illustration submitted by applicant).

Richardson Co. does not disclose at least one eggcrate louver adjacent to (on) the diffusion film and an eggcrate louver frame supporting the eggcrate louver, a diffusion frame supporting the diffusion layer; a first fastening device attached to the rectangular frame and a second fastening device attached to the eggcrate louver frame, wherein the second fastening device engages the first fastening device to position the diffusion frame between the eggcrate louver frame and the rectangular frame.

In the same field of endeavor, Ott teaches of providing an eggcrate louver for the purpose of obtaining a desired shading and light diffusion from the plurality of light sources.

The Internet Source for Lighting Diffuser discloses and teaches that louvers are manufactured in many different cell sizes for use in various types of installation (see 1st page about louver).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the light control system of Richardson Co. decalight by providing an eggcrate louver as taught by Ott's, for the purpose of obtaining a desired shading and light diffusion from the plurality of stage light sources. Furthermore, it would have been within the level of an artisan having the disclosure and teaching of Richardson Co. and Ott and The Internet Source for Lighting Diffuser to further provide an eggcrate louver frame supporting the eggcrate louver, a diffusion frame supporting the diffusion layer; a first fastening device attached to the rectangular frame and a second fastening device attached to the eggcrate louver frame, wherein the second fastening device engages the first fastening device to position the diffusion frame between the eggcrate louver frame and the rectangular frame for the purpose of securely

supporting the diffuser and eggcrate louver engaging over the stage lighting system (i.e., decalight) as disclosed by Richardson Co.

Re claims 21 and 22, Richardson Co. further discloses the frame has a first dimension (i.e., 7') and a second dimension (i.e., 4'), and wherein the first dimension is about twice the distance of the second dimension; the frame has a depth substantially less than the second dimension, the frame comprises a series of light bars arranged parallel to the second frame dimension and wherein the evenly spaced plurality of light sources comprises a plurality of globe lights (see pages 1 and 2 including decalight illustration submitted by applicant).

Re claim23, given Richardson Co. modified by Ott's lighting system as discussed above in claims 21 and 22, the series of light bars comprising eight vertically positioned light bars and the plurality of globes comprising thirty two globes in which four globes are evenly spaced along each of the eight light bars would have been an obvious design choice.

4. Claims 16, 17, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable Richardson Co. (decalight submitted by applicant) over in view of Ott (US 4,091,441) further in view of The Internet Source for Lighting Diffuser and further in view of Hunt et al. (US 5,414,328).

Re claims 16 and 17, Richardson does not show the light control system comprises two independent circuits, and wherein each of the two independent circuits is coupled to alternating ones of the plurality of light sources and the light control system comprises independent switches coupled to each of the plurality of light sources.

Hunt discloses a stage lighting control console including switches for the purpose of controlling the intensity of plurality of stage light sources (Fig. 1; Col. 1, lines 38-53).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the light control system of Richardson Co. modified by Ott's and The Internet Source for Lighting Diffuser as claimed in claims 16 or 17, for the purpose of controlling the intensity of the plurality of stage light sources as taught by Hunt's.

Re claims 26 and 27, given Richardson Co. modified by Ott's further modified by The Internet Source for Lighting Diffuser and further modified by Hunt's lighting control system as discussed above in claims 16 and 17, changing the intensity of alternating one of the plurality of globes and/or maintaining the color temperature of the illumination from the stage lighting system when the total light output is reduced would have been an obvious design choice.

Remarks

5. The cited reference of Hunt et al. (US 5,414,328) in form PTO-1449 received 6-05-06 have been previously cited and considered by the examiner in form PTO-892 mailed 7-18-05.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ephrem Alemu whose telephone number is (571) 272-1818. The examiner can normally be reached on M-F Flex hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EA
7-23-06

TUYET VO
PRIMARY EXAMINER